

IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

1-12. (Canceled).

13. (New) A code division multiple access transmitting apparatus comprising:

a plurality of spreading sections that perform spreading processing separately for transmission signals comprising a retransmission signal and signals other than the retransmission signal, using different spreading codes;

a multiplexing section that multiplexes the retransmission signal spread by the plurality of spreading sections based on a set degree of multiplexing and further multiplexes the signals other than the retransmission signal spread by the plurality of spreading sections; and

a transmitting section that transmits the signals multiplexed by the multiplexing section; and

a control section that detects a number of retransmissions for the retransmission signal, increases the set degree of multiplexing as the detected number of retransmissions increases, and decreases a degree of multiplexing for the signals other than

the retransmission signal spread by the plurality of spreading sections as the detected number of retransmission increases.